



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 5**

**230 SOUTH DEARBORN ST.  
CHICAGO, ILLINOIS 60604**

REPLY TO THE ATTENTION OF:

5HR-JCK-13

OCT 20 1989

Barbara Magel  
Karaganis and White  
Attorneys At Law  
414 North Orleans Street  
Suite 810  
Chicago, Illinois 60610

RECEIVED  
WMD RECORD CENTER

OCT 13 1994

RE: Control OR 90-03

Dear Ms. Magel:

This is in response to your letter, received October 4, 1989, in which you requested information concerning the Part B permit application of the American Chemical Services facility located in Griffith, Indiana.

According to Indiana's current Multi-Year Permitting Strategy, a permit determination on the aforementioned facility is scheduled for Federal Fiscal Year 1991 (FY'91). Prior to FY'91, the United States Environmental Protection Agency will conduct a RCRA Facility Assessment to determine the corrective action status of this facility.

Please contact Ms. Margaret Millard of my staff, at (312) 886-7580, if you have any questions or require further assistance.

Sincerely,

David A. Ullrich  
Associate Director, Office of RCRA  
Waste Management Division

bcc: M. Millard  
✓ H. Cho - 5HR-13  
C. Moraga  
D. McKay  
E. Taylor

WMD, OR, RDS/Disk MM-01/10-16-89/M. Millard/6-7580

B.1.1

**KARAGANIS & WHITE LTD.**

ATTORNEYS AT LAW

414 NORTH ORLEANS STREET-SUITE 810

CHICAGO, ILLINOIS 60610

(312) 836-1177

JOSEPH V. KARAGANIS  
A. BRUCE WHITE  
BARBARA ANNE MAGEL  
KATHLEEN M. DONAHUE  
ELLEN LOIS ZISOOK

JUL 8 2 21 PM '87

OFFICE OF SOLID  
AND HAZARDOUS  
WASTE MGMT  
DEM

July 2, 1987

Mr. Robert J. Cappiello  
Solid & Hazardous Waste Management  
Department of Environmental Management  
5500 West Bradburg Avenue  
Indianapolis, Indiana 46241

Re: *Pending RCRA Part B Permit Application*  
**American Chemical Services**  
**Griffith, Indiana**

Dear Mr. Cappiello:

My purpose in writing to you at this time is twofold. First, I am notifying you of our serious concerns regarding issuance of a RCRA permit to the American Chemical Services facility in Griffith, Indiana. As you must be aware, that facility is currently involved in a Comprehensive Environmental Response, Compensation and Liability Act (CERCLA/SARA) matter and may be the subject of extensive onsite investigation in the near future. In addition, in reviewing the Part B Permit Application submitted by American Chemical Services, it is clear that no provisions have been proposed to address the currently operating unlined surface impoundment on the site. That impoundment receives all process effluents and surface run off from the site and therefore must be considered to be a hazardous waste surface impoundment within the meaning of the Indiana regulations. Yet the Permit Application includes no evidence that American Chemical Services intends to comply with those requirements.

In submissions in response to a United States Environmental Protection Agency CERCLA Section 104 Information Request and an Indiana request for certification on solid waste management units and releases, American Chemical Services has admitted the occurrence of releases of hazardous substances into the environment from its facility. Those releases are apparently ongoing. Yet the Part B Permit Application includes no explanation of how the company intends to address those problems.

These serious deficiencies in the American Chemical Services RCRA application and the present conditions on and around the site are cause for serious concern and must be given great consideration in evaluating American Chemical Services' Permit Application.

July 2, 1987  
Mr. Robert J. Cappiello  
Page 2

My second purpose for writing is to request that my name be added to your mailing list of those interested in receiving any notices issued with respect to the American Chemical Services RCRA Part B Permit Application. I am quite interested in being afforded the opportunity to comment on any draft permit, or proposed permit denial, as well as during any later stages in the RCRA permitting process. Please add the following address to your list of those to be notified:

Barbara Magel  
Karaganis & White Ltd.  
414 North Orleans  
Suite 810  
Chicago, Illinois 60610

If you have any questions about my concerns regarding the American Chemical Services site, please feel free to call. Thank you for adding my name to your mailing list.

Very truly,



Barbara Magel

BAM/jw  
cc: Mr. Karl Bremer

# STATE OF INDIANA

## DEPARTMENT OF ENVIRONMENTAL MANAGEMENT



RECEIVED

FEB 25 1987

U.S. EPA REGION V

105 South Meridian Street  
P.O. Box 6015  
Indianapolis, Indiana 46206-6015

February 17, 1987

RECEIVED

FEB 26 1987

U.S. EPA REGION V

Re: Recycling and Part B Permit Applications

Mr. James Tarpo, President  
American Chemical Service, Inc.  
420 South Colfax Avenue  
Griffith, Indiana 46319

Dear Mr. Tarpo:

This letter is to acknowledge receipt of your recycling permit application dated December 19, 1986. The recycling permit application will be included in the final review of your revised Part B permit application dated June 30, 1986.

At this time we will not be able to actively pursue review of these applications due to prior commitments from the U.S. EPA. Once this review has been started, however, you will be notified if further information is required.

If you have any questions, please contact Mr. Bob Cappiello of my staff at 317/232-3221.

Very truly yours,

*Terry F. Gray*

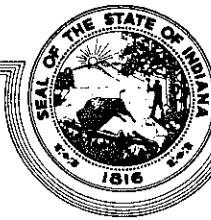
Terry F. Gray, Chief  
Plan Review and Permit Section  
Hazardous Waste Management Branch  
Solid and Hazardous Waste Management

RJC/dj

cc: Mr. Hatt Cho

# STATE OF INDIANA

DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT



INDIANAPOLIS, 46225

105 South Meridian Street

RECEIVED

SEP -2 1986

Mr. James Tarpo, President  
American Chemical Service, Inc.  
P.O. Box 190  
Griffith, IN 46319

SEP 04 1986

SOLID WASTE BRANCH  
U.S. EPA, REGION V

Re: Request for Additional Information  
Part B Application  
IND 016360265

Dear Mr. Tarpo:

Thank you for your resubmission of your RCRA Part A and B application of July 1, 1986. A review of the submitted information has been made and some additional information is needed in order to determine its completeness.

Staff has determined that the recovery of spent solvents through distillation at your facility requires a recycling permit under 320 IAC 4.1-33-1. This activity would best be reviewed along with the Part B application process. Enclosed is a list of items concerning the stills that are to be addressed in the facility's Part B application.

All additional information being requested must be submitted within sixty (60) days of the date of this letter. Your full cooperation in this matter will help expedite the review process.

If you have any questions, please contact Mr. Dennis E. Williamson of my staff at AC 317/232-3221.

Very truly yours,

*Terry F. Gray*

Terry F. Gray, Chief  
Plan Review and Permit Section  
Hazardous Waste Management Branch  
Solid and Hazardous Waste Management

DEW/cl

Enclosure

cc: Ms. Pat. Vogtman, U.S. EPA, Region V  
Mr. Hak Cho, U.S. EPA, Region V



# STATE OF INDIANA

DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT



INDIANAPOLIS, 46225

105 South Meridian Street

November 20, 1986

American Chemical Service, Inc.  
P. O. Box 190  
Griffith, Indiana 46319

Attention: Mr. John J. Murphy

Re: Extension Request

Dear Mr. Murphy:

On July 1, 1986 you resubmitted your RCRA Part A and Part B application. Upon initial review of this material, staff determined that further information was needed to do a more thorough review. On September 2, 1986, you were sent a request for additional information from this office with a November 2, 1986 deadline.

We received a letter from you dated October 29, 1986, informing us that you cannot supply the additional information until December 22, 1986. This extension has been granted with the assumption that no further extension will be needed.

If you have any questions, please contact Mr. Bob Cappiello of my staff at AC 317/232-3221.

Very truly yours,

Terry F. Gray, Chief  
Plan Review and Permit Section  
Hazardous Waste Management Branch  
Solid and Hazardous Waste Management

RJC/drc

cc: Ms. Pat Vogtman, U.S. EPA, Region V  
Mr. Hak Cho, U.S. EPA, Region V  
Mr. Dale Beal  
Mr. Jack Corpuz

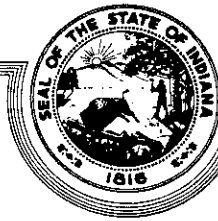
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NOV 24 1986

SOLID WASTE DIVISION  
U.S. EPA, REGION V

LAKE COUNTY  
American Chemical Services  
c, 2, b

# STATE OF INDIANA



INDIANAPOLIS, 46225

DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT

105 South Meridian Street

SEP -2 1986

Mr. James Tarpo, President  
American Chemical Service, Inc.  
P.O. Box 190  
Griffith, IN 46319

Re: Request for Additional Information  
Part B Application  
IND 016360265

Dear Mr. Tarpo:

Thank you for your resubmission of your RCRA Part A and B application of July 1, 1986. A review of the submitted information has been made and some additional information is needed in order to determine its completeness.

Staff has determined that the recovery of spent solvents through distillation at your facility requires a recycling permit under 320 IAC 4.1-33-1. This activity would best be reviewed along with the Part B application process. Enclosed is a list of items concerning the stills that are to be addressed in the facility's Part B application.

All additional information being requested must be submitted within sixty (60) days of the date of this letter. Your full cooperation in this matter will help expedite the review process.

If you have any questions, please contact Mr. Dennis E. Williamson of my staff at AC 317/232-3221.

Very truly yours,

*Terry F. Gray*

Terry F. Gray, Chief  
Plan Review and Permit Section  
Hazardous Waste Management Branch  
Solid and Hazardous Waste Management

DEW/cl

Enclosure

cc: Ms. Pat. Vogtman, U.S. EPA, Region V

Mr. Hak Cho, U.S. EPA, Region V

bcc: Mr. Dale Beal

Mr. Jack Corpuz

2878H



122  
500  
JUN 13 1986

Mr. Ray Murphy  
American Chemical Service, Inc.  
P.O. Box 190  
Griffith, IN 46319

Dear Mr. Murphy:

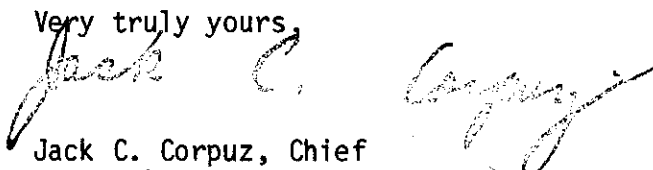
Re: RCRA Part B Application  
American Chemical Services, Inc.  
Griffith, Indiana  
IND 016360265

As per our telephone conversation of May 22, 1986, I am writing to clarify the needs of the Indiana Department of Environmental Management for our review of your Part B application.

1. I would advise that all 400 analyses received by you from the generators of the waste in question be forwarded to this office and included in Section C-1 of your application.
2. I would further advise that some sampling of your overall waste streams (D001, F001, F002, F003, F005) be done quarterly and also included in your application.
3. I would advise that some statement declaring your position of not receiving any reactive wastes and some logical basis for this position (i.e., test results) be included in your application.
4. Lastly, I would advise that some discussion of your quality assurance/quality control program be made available. This information, of course, is needed to verify the data you will be supplying.

Hopefully, these items will make clear the kinds of information we need to see in order to make a sound scientific judgment concerning your Part B application. If you have further questions, do not hesitate to call me at AC 317/232-8876.

Very truly yours,

  
Jack C. Corpuz, Chief  
Chemical Evaluation Section  
Technical Support Branch  
Solid and Hazardous Waste Management

JCC/cl  
cc: Mr. Dennis Williamson  
cl 2086H 6/11/86



American Chemical Service, Inc.

P.O. Box 190 • Griffith, Indiana 46319  
(219) 924-4370 • Chicago Phone (312) 768-3400

JUN 5 4 00 AM '86  
DIVISION OF LAND  
POLLUTION CONTROL  
STATE  
BOARD OF HEALTH

May 29, 1986

Terry F. Gray, Chief  
Plan Review and Permit Section  
Indiana State Board of Health  
1330 West Michigan Street  
P.O. Box 1964  
Indianapolis, Indiana 46206-1964

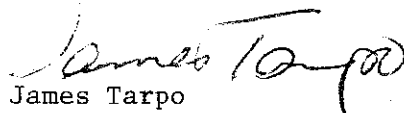
Dear Mr. Gray,

Re: Resubmission of American  
Chemical Service Part B

We are unable to complete the requirements detailed in your March 31,  
1986 letter by June 1.

Completion of our revised Part B. Application will require an additional  
30 days. We expect to submit it no later than July 1.

Yours very truly,

  
James Tarpo  
President

JT/rl

LAKE COUNTY  
AMERICAN CHEMICAL SERVICE  
I 126

JUN 10 1986

*American Chemical  
Services  
IC 2 c*

April 7, 1986

Dennis Williamson  
Plan Review and Permit Section

Bruce H. Palin  
Terry F. Gray

Dale Beal  
Engineering Section

State Recycling Permit  
American Chemical Services  
IND 016360265

Staff has determined that the recovery of spent solvents through distillation at the above-referenced facility requires a recycling permit under 320 IAC 4.1-33-1. This activity would best be reviewed along with the Part B application, which staff has requested to be revised. Attached is a list of items concerning the stills that are to be addressed in the facility's Part B application.

DAB/cl  
Attachment

cl 1021H 4/7/86

STATE OF INDIANA



INDIANAPOLIS

STATE BOARD OF HEALTH  
AN EQUAL OPPORTUNITY EMPLOYER

Address Reply to:  
Indiana State Board of Health  
1330 West Michigan Street  
P. O. Box 1964  
Indianapolis, IN 46206-1964

Mr. James Tarpo, President  
American Chemical Service, Inc.  
P.O. Box 190  
Griffith, IN 46319

March 31, 1986

Dear Mr. Tarpo:

Re: Notice of Deficiency  
Second Technical Review  
RCRA Part B Application  
American Chemical Service, Inc.  
Griffith, Indiana  
IND 016360265

The Indiana State Board of Health has completed the second technical review of your Part B application and have found several inadequacies. Enclosed is a Notice of Deficiency which must be addressed and resubmitted to our office so that a final determination can be made.

Also, the Part B application needs to be resubmitted with some order to it. We are enclosing a Part B checklist for your use. Please use the checklist (following it in order) when your Part B is submitted with all deficiencies corrected. Each page of your submission must be uniquely numbered, and each page must carry the date of the submission. A certification statement identical to the one stated in 40 CFR 270.11 must accompany all submissions.

Normally, only 30 days are allowed to correct any deficiencies, but in your case, we will be expecting your response no later than 60 days from the date of this letter.

Your full cooperation in this matter should help expedite your Part B application request.

If you have any questions, please contact Mr. Dennis E. Williamson of my staff at AC 317/243-5170.

Very truly yours,

*Terry F. Gray*

Terry F. Gray, Chief  
Plan Review and Permit Section  
Hazardous Waste Management Branch  
Division of Land Pollution Control

DEW/lsm

Enclosures

cc: Ms. Edith M. Ardiente, U. S. EPA

## STATE BOARD OF HEALTH

INDIANAPOLIS

OFFICE MEMORANDUM

DATE: February 25, 1986

THRU: Terry F. Gray TFG 2/26/86

TO: Dennis E. Williamson *DEW 3/5/86*  
Plan Review and Permit SectionFROM: Jack C. Corpuz, Chief *JC 2/25/86*  
Chemical Evaluation Section

SUBJECT: American Chemical Part B Review

I have concluded my review for the chemical portion of the Part B permit review for American Chemical Service. Below are listed the comments for the deficiencies I have noted:

C-1 Chemical and Physical Analyses

This section is technically inadequate. Each waste stored, treated or disposed of must be described, identified for hazardous characteristics and represented by proper examples of laboratory analyses. The laboratory results should also reflect a proper QA/QC program which does not appear here.  
270.14(b)(2), 264.13(a)

C-1a Containerized Wastes

Describe secondary containment system for containerized wastes. This item is technically inadequate without it. 270.15(b)(1)

C-1b Waste in Tanks

This item is technically inadequate because of the lack of providing the maximum specific gravity of wastes for each tank.  
264.191

~~C-1c Wastes Incinerated and Wastes Used in Performance Tests~~~~Analyses must be provided for each waste or waste mixture to be burned during operation and for the waste feed to be used in performance tests, including: heat value; viscosity of liquids; physical form of nonliquids; identification of Appendix VIII constituents; chlorine concentration, and ash content.  
270.62(2)(ii)(A) N/A~~C-2b Test Methods

This item is technically incorrect inasmuch as tests T8 and T9 both refer to being "similar to #8010, 8020 (SW-846)" which is for GC analysis of organics. T8 is referred to as "pH" testing not organics. Please clarify this apparent discrepancy.  
264.13(b)(2)

C-2c Sampling Methods

This item is technically inadequate since the sampling methods include a caveat to forego sampling if "the samples appear physically similar in viscosity, odor and color to previous shipments ..." Visual inspection of waste material is not an acceptable method of testing. 264.13(b)(3), Part 261 Appendix I

C-2d Okay

C-2e Additional Requirements for Wastes Generated Off-site

This item is technically inadequate. Please describe the procedures used to analyze wastes received from off-site, including procedures to identify wastes and sampling methods used. As noted earlier, visual inspection will not be technically adequate here. 264.13(c)

C-2f Additional Requirements for Ignitable, Reactive or Incompatible Wastes

This item is technically inadequate. Please describe the methods used to analyze properly for ignitability and reactivity (cyanides and sulfides) in wastes to be treated, stored, or disposed of. 264.13(b), 264.17

D-1a(1) Description of Containers

Please describe dimensions, materials of construction, and compatibility of waste with containers (drums). No description or specifics were found for this item, making it technically inadequate. 264.17, 264.172

D-1b(1) Test for Free Liquids

Please state whether or not facility receives wastes that do not contain free liquids. If they do, then document test procedures for free liquids. This item is unclear and assumed to be technically inadequate. 270.15(b)(1)

D-1b(2) Description of Containers

As in D-1a(1), please give container (drum) specifics if D-1b(1) (storage of wastes free of free liquids) is true. This item is related to response of D-1b(1) and is also unclear and assumed to be technically inadequate. 264.171, 264.172

F-4e Personnel Protection Equipment

This item is technically inadequate because it is not provided. Please describe procedures to prevent undue exposure of personnel to hazardous wastes (hard hats, safety glasses, gloves, protective clothing, respirators, etc.) 270.14(b)(8)(v)

F-5a Precautions to Prevent Ignition or Reaction of Ignitable or Reactive Wastes

This item is inadequate because the definition of reactive wastes refers to wastes capable of reacting and releasing hydrogen sulfide or hydrogen cyanide gas. The testing necessary to disprove reactivity is not addressed by the facility. Refer to 261.23(a)

F-5b General Precautions for Handling Ignitable or Reactive Waste and Mixing of Incompatible Wastes

This item is inadequate because the precautions are not provided. Please describe the precautions taken by the facility to prevent reactions that: 1) generate extreme heat or pressure, fire or explosions, or violent reactions; 2) produce uncontrolled flammable fumes, dusts, or gases; 3) produce uncontrolled flammable fumes, or gases in quantities to pose a risk of fire or explosions; 4) damage the structural integrity of the device or facility; 5) by similar means threaten human health or the environment. 270.14(b)(9), 264.17(b)

F-5c Management of Ignitable or Reactive Wastes in Containers

This item is technically inadequate since it is not provided. Please provide sketches, drawings, or data to demonstrate containers of identified ignitable or reactive wastes are at least 50 feet from the property line. 270.15(c), 264.176

F-5d Management of Incompatible Wastes in Containers

This item is technically inadequate because of the lack of description for identifying incompatible wastes. Please give exact procedures to ensure that incompatible wastes are not stored in the same container or that an unwashed container with incompatible waste is used. If incompatible wastes are stored in nearby tanks or containers, document that the wastes are separated by a dike or wall. 270.15(d), 264.177



F-5e Management of Ignitable or Reactive Wastes in Tanks

This item is unclear and therefore assumed to be technically inadequate. Please describe the operational procedures used for storing such wastes in tanks that includes specific information on: 1) how the waste is treated, rendered or mixed before or immediately after the placement in the tank so that it is no longer considered ignitable and complies with 264.17(b), or the waste is stored or treated in such a way that it is protected from any material or conditions that may cause the waste to react or ignite, or the tank is used solely for emergencies; 2) how facilities that treat and store ignitable or reactive wastes in covered tanks comply with the National Fire Prevention Association's buffer zone requirement for tanks. 270.16(f), 264.198

F-5f Management of Incompatible Wastes in Tanks

This item is inadequate because no reference is made to management of incompatible wastes in tanks. Please state whether or not such wastes are stored in this manner and if so, how they are managed. 270.16(f), 264.199(b)

G-4b Identification of Hazardous Wastes

This item is inadequate since no definition of major spill is given and no clarification is given for identifying hazardous wastes. Describe how to determine wastes as hazardous. (Daily manifests will do the job.) 264.56(b)

If you have any questions concerning this review, please call me at Extension #5123. Thank you.

JCC/kp  
Attachments

## STATE BOARD OF HEALTH

INDIANAPOLIS

7020  
Lake Co  
American  
Chemical ServiceOFFICE MEMORANDUM

TO: Dennis E. Williamson  
Plan Review and Permit Section

DATE: February 25, 1986

THRU: Terry F. Gray TFG 2/26/86

FROM: Jack C. Corpuz, Chief  
Chemical Evaluation Section

SUBJECT: American Chemical Part B Review

I have concluded my review for the chemical portion of the Part B permit review for American Chemical Service. Below are listed the comments for the deficiencies I have noted:

C-1 Chemical and Physical Analyses

This section is technically inadequate. Each waste stored, treated or disposed of must be described, identified for hazardous characteristics and represented by proper examples of laboratory analyses. The laboratory results should also reflect a proper QA/QC program which does not appear here.  
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C-1a Containerized Wastes

Describe secondary containment system for containerized wastes. This item is technically inadequate without it. 270.15(b)(1)

C-1b Waste in Tanks

This item is technically inadequate because of the lack of providing the maximum specific gravity of wastes for each tank.  
264.191

C-1e Wastes Incinerated and Wastes Used in Performance Tests

Analyses must be provided for each waste or waste mixture to be burned during operation and for the waste feed to be used in performance tests, including: heat value; viscosity of liquids; physical form of nonliquids; identification of Appendix VIII constituents; chlorine concentration, and ash content.  
270.62(2)(ii)(A)

C-2b Test Methods

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If you have any questions concerning this review, please call me at Extension #5123. Thank you.

JCC/kp  
Attachments

kp 2/24/86 0389H

## STATE BOARD OF HEALTH

INDIANAPOLIS

Am. Ch. Ser  
LC2c  
LAKE COUNTYOFFICE MEMORANDUM

DATE: February 25, 1986

THRU: Terry F. Gray TFG 2/26/86

TO: Dennis E. Williamson *DEW 3/5/86*  
Plan Review and Permit SectionFROM: Jack C. Corpuz, Chief *JC 2/25/86*  
Chemical Evaluation SectionSUBJECT: American Chemical Part B Review IND 016360265

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This item is technically inadequate because of the lack of providing the maximum specific gravity of wastes for each tank.  
264.191

~~C-1c Wastes Incinerated and Wastes Used in Performance Tests~~~~Analyses must be provided for each waste or waste mixture to be burned during operation and for the waste feed to be used in performance tests, including: heat value; viscosity of liquids; physical form of nonliquids; identification of Appendix VIII constituents; chlorine concentration, and ash content.  
270.62(2)(ii)(A) N/A~~C-2b Test Methods

This item is technically incorrect inasmuch as tests T8 and T9 both refer to being "similar to #8010, 8020 (SW-846)" which is for GC analysis of organics. T8 is referred to as "pH" testing not organics. Please clarify this apparent discrepancy.  
264.13(b)(2)

C-2c Sampling Methods

This item is technically inadequate since the sampling methods include a caveat to forego sampling if "the samples appear physically similar in viscosity, odor and color to previous shipments ..." Visual inspection of waste material is not an acceptable method of testing. 264.13(b)(3), Part 261 Appendix I

C-2d Okay

C-2e Additional Requirements for Wastes Generated Off-site

This item is technically inadequate. Please describe the procedures used to analyze wastes received from off-site, including procedures to identify wastes and sampling methods used. As noted earlier, visual inspection will not be technically adequate here. 264.13(c)

C-2f Additional Requirements for Ignitable, Reactive or Incompatible Wastes

This item is technically inadequate. Please describe the methods used to analyze properly for ignitability and reactivity (cyanides and sulfides) in wastes to be treated, stored, or disposed of. 264.13(b), 264.17

D-1a(1) Description of Containers

Please describe dimensions, materials of construction, and compatibility of waste with containers (drums). No description or specifics were found for this item, making it technically inadequate. 264.17, 264.172

D-1b(1) Test for Free Liquids

Please state whether or not facility receives wastes that do not contain free liquids. If they do, then document test procedures for free liquids. This item is unclear and assumed to be technically inadequate. 270.15(b)(1)

D-1b(2) Description of Containers

As in D-1a(1), please give container (drum) specifics if D-1b(1) (storage of wastes free of free liquids) is true. This item is related to response of D-1b(1) and is also unclear and assumed to be technically inadequate. 264.171, 264.172



F-4e Personnel Protection Equipment

This item is technically inadequate because it is not provided. Please describe procedures to prevent undue exposure of personnel to hazardous wastes (hard hats, safety glasses, gloves, protective clothing, respirators, etc.) 270.14(b)(8)(v)

F-5a Precautions to Prevent Ignition or Reaction of Ignitable or Reactive Wastes

This item is inadequate because the definition of reactive wastes refers to wastes capable of reacting and releasing hydrogen sulfide or hydrogen cyanide gas. The testing necessary to disprove reactivity is not addressed by the facility. Refer to 261.23(a)

F-5b General Precautions for Handling Ignitable or Reactive Waste and Mixing of Incompatible Wastes

This item is inadequate because the precautions are not provided. Please describe the precautions taken by the facility to prevent reactions that: 1) generate extreme heat or pressure, fire or explosions, or violent reactions; 2) produce uncontrolled flammable fumes, dusts, or gases; 3) produce uncontrolled flammable fumes, or gases in quantities to pose a risk of fire or explosions; 4) damage the structural integrity of the device or facility; 5) by similar means threaten human health or the environment. 270.14(b)(9), 264.17(b)

F-5c Management of Ignitable or Reactive Wastes in Containers

This item is technically inadequate since it is not provided. Please provide sketches, drawings, or data to demonstrate containers of identified ignitable or reactive wastes are at least 50 feet from the property line. 270.15(c), 264.176

F-5d Management of Incompatible Wastes in Containers

This item is technically inadequate because of the lack of description for identifying incompatible wastes. Please give exact procedures to ensure that incompatible wastes are not stored in the same container or that an unwashed container with incompatible waste is used. If incompatible wastes are stored in nearby tanks or containers, document that the wastes are separated by a dike or wall. 270.15(d), 264.177

F-5e Management of Ignitable or Reactive Wastes in Tanks

This item is unclear and therefore assumed to be technically inadequate. Please describe the operational procedures used for storing such wastes in tanks that includes specific information on: 1) how the waste is treated, rendered or mixed before or immediately after the placement in the tank so that it is no longer considered ignitable and complies with 264.17(b), or the waste is stored or treated in such a way that it is protected from any material or conditions that may cause the waste to react or ignite, or the tank is used solely for emergencies; 2) how facilities that treat and store ignitable or reactive wastes in covered tanks comply with the National Fire Prevention Association's buffer zone requirement for tanks. 270.16(f), 264.198

F-5f Management of Incompatible Wastes in Tanks

This item is inadequate because no reference is made to management of incompatible wastes in tanks. Please state whether or not such wastes are stored in this manner and if so, how they are managed. 270.16(f), 264.199(b)

G-4b Identification of Hazardous Wastes

This item is inadequate since no definition of major spill is given and no clarification is given for identifying hazardous wastes. Describe how to determine wastes as hazardous. (Daily manifests will do the job.) 264.56(b)

If you have any questions concerning this review, please call me at Extension #5123. Thank you.

JCC/kp  
Attachments



American Chemical Service, Inc.

P.O. Box 190 • Griffith, Indiana 46319  
(219) 924-4370 • Chicago Phone (312) 768-3400

IND 016 360 265

part B

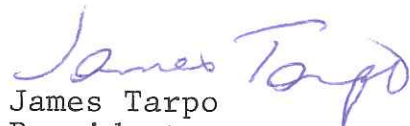
December 13, 1985

Robert B. Schaefer  
Regional Council  
Attn: Bernard Landman  
U.S. Environmental Protection Agency  
Region V  
230 South Dearborn Street  
Chicago, IL 60604

Dear Mr. Schaefer:

We wish to advise you we are withdrawing our claim of confidentiality for our Revised RCRA Part B Application dated August 16, 1985.

Yours very truly,

  
James Tarpo  
President

JT/rl

cc sent to: Greg Weber  
Gus Bloom

STATE BOARD OF HEALTH

INDIANAPOLIS

OFFICE MEMORANDUM

DATE: November 6, 1985

THRU: Guinn P. Doyle *gpd*  
Terry F. Gray *TFG 11/8/85*

TO: Sheryl K. Atkins  
Plan Review and Permit Section

FROM: Susan K. Hyndman *skh 11-7*  
Resource Recovery and Planning Section

SUBJECT: American Chemical Service  
Griffith, Indiana  
IND 016360265

The Part B Permit Application for the above-referenced facility was received on October 22, 1985. The technical review was started and completed on October 25, 1985.

The documents received with the Part B Permit Application DID NOT include any financial assurance documents. I reviewed the documents in the financial assurance file and no information deficiencies were evident at this time. They have a fully funded trust fund with a balance of \$148,132.46.

SKH/csc



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
230 SOUTH DEARBORN ST.  
CHICAGO, ILLINOIS 60604

REPLY TO THE ATTENTION OF:

SEP 20 1985

5HS-12

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Guinn Doyle, Chief  
Division of Land Pollution Control  
Hazardous Waste Management Branch  
Indiana State Board of Health  
1330 West Michigan Street  
Post Office Box 1964  
Indianapolis, Indiana 46206-1964

RE: Notice of Deficiency  
RCRA Part B Application  
American Chemical Service, Incorporated  
Griffith, Indiana  
IND 040888992  
016360265

Dear Mr. Doyle:

Enclosed is a copy of the above referenced facility's response to our May 14, 1985 notice of deficiency which resulted from the technical review of its Part B permit application. Please conduct a technical review and return the results by November 1, 1985. Please contact Mr. Greg Weber of my staff at (312) 886-0991, if you have any questions regarding this matter.

Sincerely yours,

*Charles B. Slawson*  
Edith M. Ardiente, P.E.  
Chief, Technical Programs Section

Enclosure

SEP 25 12 09 PM '85  
DIVISION OF LAND  
POLLUTION CONTROL  
STATE  
BOARD OF HEALTH

SEP 20 1985

5HS-12

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Guinn Doyle, Chief  
Division of Land Pollution Control  
Hazardous Waste Management Branch  
Indiana State Board of Health  
1330 West Michigan Street  
Post Office Box 1964  
Indianapolis, Indiana 46206-1964

RE: Notice of Deficiency  
RCRA Part B Application  
American Chemical Service, Incorporated  
Griffith, Indiana  
IND 040888992

016360265

Dear Mr. Doyle:

Enclosed is a copy of the above referenced facility's response to our May 14, 1985 notice of deficiency which resulted from the technical review of its Part B permit application. Please conduct a technical review and return the results by November 1, 1985. Please contact Mr. Greg Weber of my staff at (312) 886-0991, if you have any questions regarding this matter.

Sincerely yours,

Edith M. Ardiente, P.E.  
Chief, Technical Programs Section

Enclosure

5HS/Weber:vc 9/11/85 Disk #14

*9/12/85*

INIT. DATE	TVF	AUTH.	W. CHIEF	IN. CHIEF	MR. CHIEF	DR. CHIEF	IN. CHIEF	IPS CHIEF	WMS CHIEF	WMD DR
	<i>ve</i>	<i>GW</i>		<i>ggo</i>				<i>ggo</i>		
	<i>9/18</i>	<i>9-18</i>		<i>9/19</i>				<i>9/20/85</i>		



American Chemical Service, Inc.

P.O. Box 190 • Griffith, Indiana 46319  
(219) 924-4370 • Chicago Phone (312) 768-3400

August 16, 1985

Edith M. Ardiente, P.E.  
Chief, Technical Programs Section  
United States  
Environmental Protection Agency  
Region 5  
230 South Dearborn St.  
Chicago, Illinois 60604

RECEIVED

AUG 22 1985

SND - AIS  
U.S. EPA, REGION V

Dear Ms. Ardiente,

In response to your letter dated May 14, 1985, we have amended certain portions of our Part B application. Enclosed are three copies of the amended portions. We have also included three copies of the amended RCRA Part A.

Our Part A was amended to include only those specific waste codes that we are currently treating: D001, F001, F002, F003, and F005. We have reduced the maximum allowable number of drums in the container storage area from 600 to 300. When we totalled the actual gallons shown in the Part B tank drawings, we found the total to be slightly higher than on the original Part A. We reflected this number in the amended copies.

The shortcomings and inadequacies that you detailed in your letter were not addressed individually. Instead, an entirely reconstructed portion of the application was rewritten embodying those points. We did not always agree with your interpretation of the regulations, nor the conclusions that you reached from the experience of other hazardous waste facilities. Final documentation of all points is best accomplished by actual site inspection.

All portions of the response have been implemented except for the overfill safety alarm system and the safety tank venting system described in the tank storage section. All equipment has been ordered. Construction has begun with a completion scheduled for November 1, 1985.

In addition we are declaring parts of our response to be confidential and have marked the appropriate pages "confidential".

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information. I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for


COPY 2



submitting false information, including the possibility of fine or imprisonment."

Yours truly,

AMERICAN CHEMICAL SERVICE, INC.

  
James Tarpo, President

JT/r1

Enclosure



American Chemical Service, Inc.

P.O. Box 190 • Griffith, Indiana 46319  
(219) 924-4370 • Chicago Phone (312) 768-3400

July 10, 1985

RECEIVED  
JUL 12 1985

JUL 12 1985

SOLID WASTE BRANCH  
U.S. EPA, REGION V

SWD-AIS  
U.S. EPA, REGION V

Edith M. Ardiente, P.E.  
Chief, Technical Programs Section  
United States  
Environmental Protection Agency  
Region 5  
230 South Dearborn St.  
Chicago, Illinois 60604

Re: Technical Review Results  
RCRA Part B Application  
American Chemical Service, Inc.  
Griffith, Indiana  
IND 016360265

Dear Ms. Ardiente,


We regret we will be unable to meet your July 12, 1985 deadline for the submission of the additional data you require. We find it necessary to perform a total rewrite of major portions of our Part B Application. We have to this date spent considerable time and effort on your request; completion is now estimated by August 16, 1985.

Enclosed is an original copy of the Trust Agreement guaranteeing closure. It is fully funded and had a value of \$148,132.46 as of 11-6-84. (Accounting statement attached.)

Also included is a copy of our most recent Hazardous Waste Facility Liability Endorsement. It contains language complying with Indiana law.

We ask for your cooperation in this matter.

Yours very truly,

  
James Tarpo  
President

JT/r1

Enclosures

COPY 2

MAY 1 4 1985

SHS-12

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

James Tarpo, President  
American Chemical Service, Incorporated  
420 South Colfax Avenue  
Griffith, Indiana 46319

RE: Technical Review Results  
RCRA Part B Application  
American Chemical Service, Incorporated  
Griffith, Indiana  
IND 016360265

Dear Mr. Tarpo:

Technical review has revealed various shortcomings and inadequacies in your Resource Conservation and Recovery Act (RCRA) hazardous waste permit application. Please be aware that you are obligated to submit additional information in triplicate, which is necessary to clarify, modify, and supplement the previously submitted material. The additional information, which is to be submitted to this office by July 12, 1985, is listed in the attachment to this letter.

Failure to submit these items by the deadline may result in the initiation of proceedings to terminate your "interim status" in accordance with the procedures specified in 40 CFR 270 Subpart G.

Please contact Mr. Greg Weber of my staff at (312) 886-0991, if you have any questions regarding this matter.

Sincerely yours,

Edith H. Ardiente, P.E.  
Chief, Technical Programs Section

Enclosure

cc: Quinn Doyle, ISRM

bcc: Tom Golz  
Part B Log  
Roger Field, ORC

SHS/Heber:vc  
INITIALS

DATE

4/25/85

VP  
5/6/85

AUTHOR

01st  
10ew  
5/6/85

STU #1  
CHIEF

Indain  
Ac  
5/6/85

STU #2  
CHIEF

STU #3  
CHIEF

TPS  
CHIEF

456/85  
Ann  
5/13

WMB  
CHIEF

WMD  
DIRECTOR

American Chemical Services  
IND 016360265

A. Waste Analysis Plan

The applicant must develop and follow a written waste analysis plan which describes the procedures it will carry out to comply with the requirement to characterize the waste. At a minimum, the plan must specify the following items:

1. The parameters to be analyzed and the rationale for their selection.
2. The test methods to be used (SW 846).
3. The sampling methods (SW 846).
4. The frequency of repeating the initial analysis.
5. The waste analysis supplied by the generator.

The applicant provided a waste analysis plan. However, the above items were not addressed in sufficient detail to pass technical review.

The applicant's submission indicated that the following wastes are handled at the facility: F001, F002, F003, F005, U002, U031, U112, U147, and U154. The applicant must revise its waste analysis plan to address the above listed items for each of the hazardous wastes.

In summary, the waste analysis plan must address the following for each waste listed in the Part A application: the parameters for which each hazardous waste will be analyzed and how analysis for these parameters will provide sufficient information on the waste properties such that the operator will know all of the information which must be known to store and treat the waste; the procedures and test methods used to test for the parameters including the waste analyses that generators have agreed to supply; and the procedures used to inspect and analyze each movement of hazardous waste to ensure that it matches the identity of the waste designated on the accompanying manifest. In addition, the reactivity and blending (compatibility) test was missing documentation which would indicate that it does not generate extreme heat, fire or explosions, violent reactions, fumes or gases in sufficient quantities to threaten human health or the environment. This documentation may be based on published scientific literature, data from bench scale or pilot scale tests, or the results of the treatment of similar wastes under similar operating conditions.

§§270.14(b)(2) and (3); §§264.13(b) and (c); §264.17

## B. Container Storage Information

The hazardous waste storage area information was technically inadequate and must be revised and resubmitted to include the following:

1. Provide details as to the type of containers which are used for storing hazardous waste, including dimensions, useable volume, material containers are made of, container condition, markings, and labels.  
§264.171 and §264.172
2. Describe container management practices used to ensure that the containers are kept closed, except when adding or removing waste, and handled in a manner which prevents leaks or container rupture. §264.173
3. Provide a layout drawing which illustrates how pallets are arranged to provide aisles, which wastes are stored in each location, and details which show how the storage areas base will be maintained so that it is free of cracks and gaps and remains sufficiently impervious to prevent free liquid from seeping into the base. Also, provide details to indicate that the base is, in itself, sufficiently impervious to prevent free liquids from seeping through it. §264.175(a)(1)
4. Provide data to demonstrate that the containment system has sufficient capacity to contain ten percent of the volume of the containers or the volume of the largest container, whichever is greater.  
§270.15(a)(3) and §264.175(a)(3)
5. Describe how spilled or leaked wastes are removed from the containment system in a timely manner to prevent overflow.  
§270.15(a)(5) and §264.175(a)(3)

## C. Tank Storage Information (§270.16)

The design data for the tanks were not adequate to pass technical review. The application must include a tank farm layout drawing sufficient to demonstrate compliance with the buffer zone requirements for tanks contained in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code" (1971 or 1981). The tanks identified in the drawing must be keyed to a chart which includes the following information for each tank:

1. Design standards used in design and construction of the tank.
2. Tank dimensions, capacity, shell thickness, and waste stored.
3. A diagram of piping, instrumentation, and process flow.

4. Description of feed systems, safety cutoff, bypass systems and pressure controls. Describe the procedures and equipment used to assure that the tanks are not overfilled.
5. Description of procedures for handling ignitable waste so that it is protected from any material or condition which could cause the waste to ignite (e.g., maintain a nitrogen blanket in each tank to prevent air intrusion and maintain the internal tank atmosphere below the lower explosive limit, the tank is equipped with flame arrestors and a vent emission control system which collects volatile vapors and routes them for destruction).
6. Include the schedule and procedure for assessing the condition of each tank identified as storing hazardous waste in the tank farm layout drawing. The schedule and procedure must be adequate to detect wall thinning to less than the thickness required under §264.191, which requires that a minimum shell thickness be maintained at all times to ensure sufficient shell strength. Factors considered in establishing minimum shell thickness include the height, width, and construction materials of the tank and the corrosivity and specific gravity of the waste. The schedule must include the frequency of these assessments and include inspections of monitoring, safety, and emergency equipment (e.g., used to monitor temperature, pressure, or overfilling control equipment).

#### D. Contingency Plan

The contingency plan inadequately described the actions facility personnel will take and the procedures they will follow in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility. Revise and resubmit a complete contingency plan by including the following information:

1. Describe how and when the contingency plan will be implemented. §§264.52(a) and (d)
2. Describe the methodology for immediate notification of facility personnel and necessary State or local agencies. §264.56(a)
3. Describe procedures for identification of hazardous materials involved in the emergency. §264.56(b)
4. Describe the policy for assessment of possible hazards to the environment and human health and the need for evacuation and notification of authorities. §§264.56(c) and (d)
5. Describe the location and specifications of emergency equipment. §264.56(e)

6. Describe the coordination agreements with local police and fire departments, hospitals, contractors, and State and local emergency teams to familiarize them with the facility and actions needed in case of emergency. Document refusal to enter into a coordination agreement. §264.52(c) and §264.37.
7. Describe control procedures to be taken in the event of fire, explosion, or releases. §264.52(a)
8. Describe the necessary steps to be taken to ensure that fires, explosions, or releases do not occur, reoccur, or spread to other hazardous waste at the facility. §264.56(e)
9. Describe provisions made for treatment, storage, or disposal of any material that results from a release, fire, or explosion at the facility. §264.56(g)
10. Describe provisions for prevention of incompatible wastes from being treated, stored, or disposed in the affected area until clean-up procedures are completed. §264.56(h)(1)
11. Describe procedures for ensuring that all emergency equipment listed in the contingency plan is cleaned and fit for its intended use before operations are resumed. §264.56(h)(2)
12. Specify procedures to be used when responding to container spills or leakage, including procedures and timing for expeditious removal of spilled waste and repair or replacement of the container(s). §264.52 and §264.171.
13. Document the procedures to be used by the facility owner or operator to respond to tank spills or leakage, including procedures and timing for expeditious removal of leaked or spilled waste and repair of the tank. §264.194(c)

#### E. Closure Plan and Closure Cost Estimate

The closure plan and closure cost estimate were technically inadequate and must be revised and resubmitted. Technical review revealed the closure plan to be sketchy and supplemental information is required. The closure plan must be written so that if an inspector came into the facility, none of the conditions observed would exceed those stated in the plan. The plan should be based on the estimate of the maximum number of drums and maximum quantity of bulk waste and residues on hand at any time. The plan must contain a discussion of the activities necessary to operate the facility in a routine manner for inventory removal and show how all hazardous wastes and residues will be removed from tanks, discharge control equipment, and discharge confinement structures. It



must also describe and show how remaining containers, liners, bases, and residue contaminated with hazardous waste will be decontaminated and removed. Plans to remove wastes and clean-up residues off-site must include: the quantity to be removed, description of treatment prior to removal, final disposal method, and distance to the final disposal facility.

The closure plan characterized the maximum hazardous waste inventory as solids and liquids. These characterizations are too vague and could include just about anything. Closure procedures and cost estimates are specific to the type of hazardous wastes to be disposed. Some types require specific handling procedures and others are more expensive to dispose. The closure plan failed to sufficiently describe closure procedures. Decontamination procedures specified were described as cleaning with high pressure water and detergent but no cleaning procedures or quantities of cleaning agents were mentioned. There was no description of how the contaminated cleaning effluent would be analyzed or what would be done with it or how it would be determined if any hazardous waste residues remained. Provide an estimated date for closure and a chronological closure schedule.

The closure cost estimate failed to include all associated costs necessary to carry out closure procedures. A cost estimate for a given activity (e.g., bulking wastes from containers to tankers for transportation to an incinerator), must include all costs associated with this activity, including fully loaded labor costs (e.g., including fringe benefits and overhead), and costs of supervision, fuel, and maintenance costs for the equipment used, administrative costs, and provisions for normal contingencies. Administrative costs include all costs associated with taxes, insurance, routine administration paperwork, and reporting.

The closure cost estimate failed to include provisions for normal contingencies. Provisions for normal contingencies means that the closure cost estimate should include a factor for unforeseen events that may increase costs, such as those routinely put into most initial cost estimates. Such contingencies include adverse weather and other unanticipated complications. Given the absence in the closure plan of detailed engineering designs, the uncertain nature of precise facility conditions at the time of closure, and lack of provision for inflation during the closure period, the provision for contingencies should be generous. Standard engineering practice shows that in most cases a provision for contingencies could reasonably be expected to fall within the range of 15 to 25 percent.

Experience of other hazardous waste facilities and inquiries to waste removal contractors revealed the applicant's closure cost estimate of \$131,220.00 for 363,500 gallons of hazardous waste, plus additional clean-up residue, to be too low (e.g., waste fuel processors have been charging more than \$0.20 per gallon). The closure cost estimate must be documented so that it can be checked.

F. Financial Assurance Mechanism for Closure

The applicant's financial assurance mechanism was a letter stating that closure insurance had been applied for. This does not satisfy the requirement to submit a copy of the financial assurance mechanism adopted in compliance with §§264.143 or 264.149. Submit an originally signed copy of your financial assurance mechanism which satisfies the requirements of §§264.143 or 264.149. §§270.15(b)(15) or (18).

G. Insurance

Submit a copy of the insurance policy or other documentation which demonstrates compliance with the requirements of §264.147. The copy of the certificate of insurance provided in 1982, has expired.

MAY 3 1985

5HS-13

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

James Tarpo  
420 South Colfax Avenue  
Griffith, Indiana

RE: Corrective Action Requirements,  
Hazardous and Solid Waste  
Amendments of 1984

Dear  
Mr. Tarpo:

American Chemical Services  
IND 016360265

As you know, we are currently reviewing Part B of the Resource Conservation and Recovery Act (RCRA) permit application for the above-referenced facility.

On November 8, 1984, the Hazardous and Solid Waste Amendments of 1984 (the Amendments) were enacted to modify RCRA. Under Section 206 (copy enclosed) of the Amendments, all RCRA permits issued after the date of enactment must provide for corrective action for all releases of hazardous waste or constituents from any solid waste management unit, regardless of the time at which waste was placed in the unit. Please note that both hazardous and non-hazardous waste can meet the definition of solid waste under 40 CFR 261.2.

Consequently, we must determine whether such releases have ever occurred at the facility site. If they have, we must ensure that corrective actions either have been taken or will be taken, pursuant to a RCRA permit. An important part of our determination includes your willingness (or unwillingness) to sign the enclosed certification statement. Please read it carefully and either sign it and return it, or return it to us unsigned with a cover letter of explanation, within three weeks of the date of this letter. Any information regarding releases of hazardous waste or hazardous constituents to the environment will be evaluated during the permit review process. Any tentative decision we make concerning your permit application will be public noticed in a newspaper of general circulation in the area of the facility.

Please contact the previously identified permit writer with our Agency for additional information.

Sincerely yours,

*Karl J. Klepitsch, Jr.*

Karl J. Klepitsch, Jr.  
Chief, Solid Waste Branch

Enclosures

INITIALS

DATE

TYPIST

AUTHOR

STU #1

CHIEF

STU #2

CHIEF

STU #3

CHIEF

TPS

CHIEF

WMB

CHIEF

WMD

DIRECTOR

5/3/85  
up

*Handwritten initials and dates in the routing table columns.*

APR 29 1983

5HW

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. James Tarpo, President  
American Chemical Service, Inc.  
420 South Colfax Avenue  
Griffith, Indiana 46319

Re: Part B Permit Application  
American Chemical Service  
IND 016360265

Dear Mr. Tarpo:

With receipt of subsequent Part B permit application material on December 22, 1982, your application is complete. We are proceeding with a technical review of the application.

This review has revealed items in your application for which we require clarification and/or supplementary information. Attached please find a description of our informational needs, pursuant to 40 CFR §124.3. This material is due by May 26, 1983. Additional information may be requested at a future date.

Please contact Mr. Richard Shandross of my staff, at (312) 886-6146, if you have questions concerning this letter.

Sincerely,

William H. Miner, Chief  
Technical, Permits, and Compliance Section

Enclosure

cc: Indiana State Board of Health  
Attn: Bruce Palin

5HW:Shandross/mp 4/27/83

022-22

INITIALS	TYPIST	AUTHOR	STU #1	STU #2	STU #3	TPS	WMB	WMD
	mp	RS	CHIEF	CHIEF	CHIEF	CHIEF	CHIEF	CHIEF
DATE	4/27/83	4/27/83	GR14 for AW			4/27/83		



SUPPLEMENTARY INFORMATION REQUIRED (40 CFR § 124.3)  
American Chemical Service, Inc.  
IND 016360265

1. Clarification is needed concerning what parameters will be analyzed for each of the hazardous waste streams. §264.13(b)(1)
2. Rationale for selection of these parameters. §264.13(b)(1).
3. A description of the procedures involved in performing the "American Chemical test" for reactivity, blendability, and distillation yield. §264.13(b)(2)
4. A description of the frequency of analysis is needed for each waste stream. The rationale for this frequency should be explained. §264.13(b)(4)
5. Additional information is needed concerning the methods used to meet the waste analysis requirements for the waste management method specified in §264.17. §264.13(b)(6); also, see item 11.
6. Specifications of containers. §§264.171, 264.172
7. A description of the procedures for preventing or managing run-on. §264.176(b)(4)
8. A description of how the design of the containment system promotes drainage, or how containers are kept from contact with standing liquids. §264.176(b)(2)
9. A statement as to whether containers holding free liquids will be stored. §264.176(c). (If no containers will have free liquids, provide documentation of this fact plus the information required in §122.25(b)(1)(ii)).
10. Design specifications, test data, calculations, descriptions, etc., required in §122.25(b)(2), must be submitted. The agency cannot issue a permit based upon simple assertion of compliance with §§264.191, 264.192, 264.198 and 264.199--page 35 of the application. §122.25(b)(2).
11. Documentation of the compatibility of hazardous wastes being stored on premises. In particular, a discussion of the potential effects of mixing any wastes, or any wastes with other materials present at the facility, is needed. §§264.17, 264.177, 264.199. (If any incompatible materials are present, provide the information required in §§122.25(b)(1)(iv) and 122.25(b)(2)(vi).
12. Copies of the inspection checklists and maintenance action sheets, described on page 7, are needed to evaluate compliance with §264.15.
13. A copy of the inspection log should also be submitted to assess compliance with §264.15.

14. The procedures found on page 25 are sketchy. Further information is necessary to evaluate the adequacy of these procedures. In particular, submit descriptions of operations in greater detail: (1) where structures or equipment are involved, describe them or refer to descriptions in other parts of the application; (2) where operating methods are involved, give details; and (3) do not assume that the reviewer is aware of the rationale for various precautions, e.g. the purpose of shielding pump lines with concrete walls. §122.25(a)(8).
15. A description of the criteria for implementation of the contingency plan.
16. Job titles and duties (ie, job descriptions) for each position relating to hazardous waste management. Also, a statement as to how many employees are filling each position. §264.16(d)(1), 264.16(d)(2).
17. On page 28, Paragraph D, to what does "1,2,3,4,5" refer?
18. A description of the training director's qualifications. §264.16(a)(2)
19. A description of the closure performance standard and how the closure plan will ensure it being met. §264.112(a)(1)
20. A description of the steps to achieve final and/or partial closure. §264.112(a)(1)

# STATE OF INDIANA

STATE BOARD OF HEALTH  
AN EQUAL OPPORTUNITY EMPLOYER



INDIANAPOLIS

Address Reply to:  
Indiana State Board of Health  
1330 West Michigan Street  
P. O. Box 1964  
Indianapolis, IN 46206-1964

January 31, 1983

Mr. William H. Miner  
U.S. Environmental Protection Agency  
5HW-TUB  
111 West Jackson Boulevard  
Chicago, IL 60604

Dear Mr. Miner:

Re: Completeness Review for  
American Chemical Services  
IND 016360265 PA, G, TRS, TSD, PASI

Enclosed is a copy of the completed checklist. The application was found to be incomplete. Enclosed is a list of the missing portions. Should you have any questions concerning this matter, please contact Mr. Steve Reuter at 317/633-8542.

243-5103

Very truly yours,

Guinn Doyle, Chief  
Hazardous Waste Management Branch  
Division of Land Pollution Control

GPD/tw

Enclosure

cc: American Chemical Services Application File  
Mr. Steve Reuter

RECEIVED  
FEB 02 1983

RECEIVED  
2-4-83

WASTE MANAGEMENT  
BRANCH

Part B Checklist  
Missing Item(s)

*See letter came dated 1/31/83*

- ✓ 1. Description of a frequency of analysis (40 CFR 264.13(b)(4)). *RV*
- ✓ 2. Description of off-site generated waste (40 CFR 264.13(b)(5), 264.13(c)).
- ✓ 3. Description of the method used to meet additional waste analysis requirements necessary for storing or treating ignitable, reactive, or incompatible wastes (40 CFR 264.13(b)(6), 265.17).
- ✓ 4. Description of how containment system design promotes drainage or how containers are kept from contact from freestanding liquids (40 CFR 122.25(b)(1)(i)(B), 264.175(b)(2)).
- ✓ 5. Description of containment system provisions for preventing or managing a run-on (40 CFR 122.25(b)(1)(i)(D), 264.175(b)(4)).
- ✓ 6. Description of procedures for detecting and removing the accumulated liquids from the containment system in a timely manner (40 CFR 122.25(b)(1)(i)(E), 264.175(b)(5)).
- ✓ 7. Documentation/information showing that wastes do not contain free liquids (40 CFR 122.25(b)(1)(ii)(A)).
- ✓ 8. Primary containment devices: a description of the dimensions, construction materials, liner specifications (with the container manufacturers specifications, if available), condition and number of containers, and demonstration of capability of waste with containers (40 CFR 264.171, 264.172).
- ✓ 9. Description of container management practices (opening, handling, and storage procedures) to ensure container integrity (40 CFR 264.173).
- ✓ 10. Containment system: a description of how design promotes drainage and removal of precipitation on how containers are kept from contact with freestanding liquids (40 CFR 122.25(b)(1)(ii)(B), 264.175(c)).
- ✓ 11. References to design standards or available information used in tank design construction, and information about tank dimensions, capacities, and the shell thicknesses in other parameters needed to assess conformance with standards (40 CFR 122.25(b)(2), 264.191).
12. Description of design specifications, including identification of construction and line materials for assessment of corrosion and erosion potential (40 CFR 122.25(b)(2)(ii), 264.192(a)).



- ✓ 13. Diagrams of piping, instrumentation, and process flow, and a description of feed systems, safety cutoffs, bypass systems, and pressure controls (e.g., vents) (40 CFR 122.25(b)(2)(iv) and (v), 264.192(b)).
- ✗ 14. A copy of the general inspection schedule for safety devices and monitoring, safety, emergency, operating, and structural equipment (40 CFR 264.15(a) and (b), 264.33).
- ✓ 15. Identification of the types of problems to be inspected (40 CFR 264.15(b)(3)).
- ✓ 16. A copy of the inspection schedule for specification process requirements.
- ✓ 17. A copy of the inspection log (40 CFR 264.15(d)).
- ✗ 18. Request for waivers for preparedness and prevention requirements (40 CFR 122.25(a)(6), 264.32, 264.35).
- ✗ 19. Request for waiver of the equipment requirements (40 CFR 264.32).
- ✗ 20. Request for waiver of the aisle space requirements (40 CFR 264.35).
- ✗ 21. Prevent hazards on unloading operations (40 CFR 122.25(a)(8)(i)).
- ✗ 22. Prevent runoff of hazardous waste to handling areas (40 CFR 122.25(a)(8)(ii)).
- ✗ 23. Prevent contamination of water supplies (40 CFR 122.25(a)(8)(iii)).
- ✓ 24. A list of criteria for implementation of the Contingency Plan (40 CFR 264.52(a), 264.56(d)).
- ✓ 25. Job titles, duties, and name of each employee receiving training (40 CFR 264.16(d)(1) and (d)(2)).
- ✓ 26. Training director's qualifications (40 CFR 264.16(a)(2)).
- ✗ 27. Relevance of training to job position (40 CFR 264.16(a)(2)).
- ✗ 28. Training for emergency response (40 CFR 264.16(a)(3)).
- ✗ 29. Provisions for implementing the training programs (40 CFR 264.16(b) and (d)(4)).
- ✓ 30. Closure performance standards: a description of how closure minimizes the need for further maintenance and control, and minimizes the release of waste to the environment (40 CFR 264.111).

- ✓ 31. A description of partial closure and final closure activities (40 CFR 264.112(a)(1)).
- X 32. An estimate of the schedule of final closure, including the expected year of closure and a milestone chart depicting the total time required to close the facility and the time required for intervening closure activities (40 CFR 264.112(a)(4)).
- X 33. In the event a longer period of closure time is needed, provide a request which justifies an extension of closure time (40 CFR 264.113(a) and (b)).
- X 34. A completed but unexecuted copy of the financial assurance mechanism for closure (if the facility is in a state which does not have Phase I or Phase II authorization, an unexecuted copy should have been submitted by July 6, 1982) (40 CFR 122.25(a)(15), 264.113).

1022

DEC 27 1982

VIA CERTIFIED MAIL

Mr. James Tarpo  
American Chemical Services  
P.O. Box 190  
Griffith, IN 46319

Dear Mr. Tarpo:

Re: Part B Application

The Division of Land Pollution Control is in receipt of a copy of your Federal Part B application. The Division, in cooperation with U.S. EPA, will be reviewing the Part B and making a recommendation as to permit issuance or denial. In addition to the State's Part B activities, the Division is in the process of reviewing State permit applications for existing hazardous waste management facilities, pursuant to 320 IAC 4-9.

The State, therefore, could find it necessary to review two applications for your facility. We would like to suggest an alternative procedure. If you agree, the staff will use your Federal Part B application and your State application as a combined application for a permit to operate a hazardous waste management facility. We will go through a joint review and permit issuance with EPA. The State permit for your facility would be as similar to the Federal permit as possible.

If you do not desire that the State proceed with joint review and issuance, then we will review the Part B and submit our recommendation to EPA. We will also review your State permit application and make a determination on issuance or denial.

We believe that the joint review and issuance will benefit both you and the State, and that having similar State and Federal permits will make your compliance easier. If you determine that you wish a joint review and issuance by the State, you will be required to maintain compliance with the applicable State standards (320 IAC 4) until the permit is issued. I should also point out that if your Part B application includes modification of your existing facility or plans for a new facility, you would be required to obtain a construction permit pursuant to 320 IAC 4-8.

Should you have any questions regarding our review or need assistance, please feel free to contact Mr. Peter Tong of my staff at 312/886-6160.

Sincerely yours

William H. Miner, Chief  
Technical, Permits and Compliance Section

Enclosure

cc: David Lamm, IBOH

bcc: Part A file  
Richard Shandross  
Charles Lewis

pt/TONG/6-6160/5HW-TUB/10-18-82

	TYPIST	AUTHOR	P.E.U. GOMU	STU #1 RAIU CHIEF	STU #2 SPIS SEC.	TPCS SPIS CHIEF	WMD CHIEF	WMD DIR.	PA
INITIALS	<i>W</i>	<i>Pete</i>	<i>WEM</i>			<i>W</i>			
DATE	10/18/82	10/18/82	10/12/82			10/18/82			

OCT 18 1982

5HW-T0B

James Tarpo, President  
American Chemical Service, Inc.  
420 South Colfax Avenue  
Griffith, Indiana 46319

RE: NOTICE OF DEFICIENCY  
American Chemical Service, Inc.  
420 South Colfax  
Griffith, Indiana 46319  
IND 016 360 265

Dear Mr. Tarpo

Thank you for sending the Part B of your Resource Conservation and Recovery Act (RCRA) permit application for your facility.

This letter is to notify you, pursuant to 40 CFR 124.3, that we have completed an initial review of your Part B application for a RCRA permit to store hazardous waste. The purpose of this initial review is to check for completeness of your permit application against a list of required information delineated on pp. 2889-2891, FR 46, January 12, 1981.

As a result of this review, we found that your application is well prepared and organized. However, we are declaring it as incomplete because of four missing items (see attachment). You will be notified that the application is complete after this information has been provided to us. The due date for the submittal of such information is November 22, 1982; however, you are encouraged to submit this information at your earliest convenience.

In reviewing your application for completeness, we have also found areas where clarifications or supplemental information are needed for our technical review. Therefore, we intend to follow up with a letter addressing these areas at a later date. We are enclosing a copy of A Guide for Preparing RCRA Permit Applications for Existing Storage Facilities for your information. The manual provides detailed technical instructions covering the required content of the RCRA permit application and explains the administrative procedures that the U.S. Environmental Protection Agency (U.S. EPA) will use in permitting RCRA facilities.

Our Agency intends to work cooperatively with the Indiana Board of Health (IBOH) in processing your permit application. Should the Indiana hazardous waste program become authorized to permit storage facilities during the permit processing period, the State in lieu of U.S. EPA will make the final determination on your application.





UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION V  
111 West Jackson Blvd.  
CHICAGO, ILLINOIS 60604

PART B MATERIAL

REPLY TO ATTENTION OF:

OCT 18 1982

5HW-TUB

David Lamm, Director  
Indiana State Board of Health  
1330 West Michigan Street  
Indianapolis, Indiana 46206

Dear Mr. Lamm:

Enclosed is a copy of a Part B Hazardous Waste Facility Permit Application for:

American Chemical Service, Inc.  
420 South Colfax Avenue  
Griffith, Indiana 46319

EPA ID NO.: IND 016 360 265

As indicated in the applicant's cover letter of August 16, 1982, this facility has claimed certain portions of its application to be confidential business information. Accordingly, we must handle those elements as confidential until such time when a determination is made as to the validity of their claim.

I am hereby releasing the confidential information to you pursuant to the provisions of 40 CFR 2.305(h)(3), with the request that you use and disclose this information in accordance with Indiana law and procedures on the treatment of confidential information. In the Memorandum of Agreement in its approved application for Phase I Interim Authorization, the State has agreed to protect such information to the full extent possible under Indiana law.

By a copy of this letter, I am informing the facility referenced above of our disclosure to you. Please address to the facility any questions concerning the information they have claimed as confidential.

Please contact Ms. Mary Gade of our Office of Regional Counsel at 312/886-6668, if you have any questions regarding this letter.

Sincerely yours,

Karl J. Klepitsch, Jr., Chief  
Waste Management Branch

Enclosure

cc: Mr. James Tarpo, President  
American Chemical Service, Inc.

OCT 18 1982

5HW-TUB

David Lamm, Director  
Indiana State Board of Health  
1330 West Michigan Street  
Indianapolis, Indiana 46206

Dear Mr. Lamm:

Enclosed is a copy of a Part B Hazardous Waste Facility Permit Application for:

American Chemical Service, Inc.  
420 South Colfax Avenue  
Griffith, Indiana 46319

EPA ID NO.: IND 016 360 265

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Please contact Ms. Mary Gade of our Office of Regional Counsel at 312/886-6668, if you have any questions regarding this letter.

Sincerely yours,

Karl J. Klepitsch, Jr., Chief  
Waste Management Branch

Enclosure

cc: Mr. James Tarpo, President  
American Chemical Service, Inc.

bcc: Richard Shandross

pt/P.TONG/6-6160/DATE

TYPIST

AUTHOR

P.E.U.  
GOMU

STU #1  
RAIU  
CHIEF

STU #2  
SIS  
SEC.

TPCS  
SIS  
CHIEF

WM  
CHIEF

WM  
CHIEF

WM  
CHIEF

INITIALS

P. Tong

WEM

10/4/82

10/4/82

10/4/82

10/4/82

622-11

Acting

10/14/82

DBanor 10/14/82





**American Chemical Service, Inc.**

P.O. Box 190 • Griffith, Indiana 46319  
(219) 924-4370 • Chicago Phone (312) 768-3400

August 16, 1982

RCRA Activities  
Part B Permit Application  
U.S. EPA, Region V  
P.O. Box A3587  
Chicago, Illinois 60690-3587

Gentlemen:

Enclosed are four completed copies of our Part B application. Also included is one copy marked Part B-Public Information Copy. We have deleted from it those pages stamped confidential.

In our original Part A application we did file for storage under the container (S01) category. The 10,000 drums per year we handle pass through a process area for pumping. We have corrected our original Part A application to reflect this. Except for the containment provision, we do comply with container storage regulations. We intend to dike this area, description and timing in Part B application.

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information. I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment."

Yours truly,

AMERICAN CHEMICAL SERVICE

James Tarpo  
President

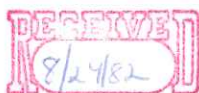
JT/lt

RECEIVED

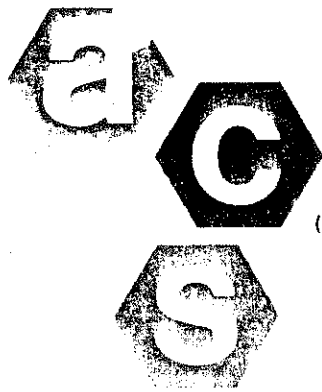
AUG 18 1982

WASTE MANAGEMENT BRANCH  
EPA. REGION V

COPY 2







1A QJ.Mm 886-7425  
American Chemical Service, Inc.

P.O. Box 190 • Griffith, Indiana 46319  
(219) 924-4370 • Chicago Phone (312) 768-3400

March 1, 1982

**RECEIVED**

MAR 3 1982

Mr. Terrance Hoya  
Air Pollution Control Division  
Indiana State Board of Health  
1330 West Michigan Street  
Indianapolis, IN 46706

State Of Indiana  
Air Pollution Control Division  
Air Pollution Control Board

Mr. Hoya:

Enclosed is a Construction Permit Application for the installation of a new 500 H.P. North American Boiler (Proposed Unit E). This boiler will replace our present Cleaver Brooks 200 H.P. (Unit A) and will take our steam generation capabilities from 500 H.P. to 800 H.P. Our present production requirements are approximately 450 H.P. which requires both Units A & B to run continuously. The proposed Unit E will be able to meet our steam demands more efficiently and Unit B can be used as a standby unit.

The installation of this new boiler will utilize the ever expanding availability of waste fuels. Because of the composition of these special fuels, as noted on the Fuel Analysis Report and the results of the Combustion Analysis Report, we believe the environmental impact will be nil.

We hope to begin construction in late spring with completion and operation by winter. Please respond to the application at your earliest convenience. If more data is required please contact this writer.

Very truly yours,

AMERICAN CHEMICAL SERVICE, INC.

John J. Murphy  
Vice-President

JJM/mit

Enclosure

B.1.6

# FILE



## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

RECEIVED  
WMD DEPT. CENTER

OCT 13 1994

105 South Meridian Street  
P.O. Box 6015  
Indianapolis 46206-6015  
Telephone 317/232-8603

June 29, 1990

VIA CERTIFIED MAIL - P124-437-356

Mr. Hak Cho, Chief  
Indiana Technical Unit  
U.S. EPA, Region V  
230 South Dearborn Street  
Chicago, Illinois 60604

Re: Variance Request  
American Chemical Services, Inc.  
Griffith, Indiana  
IND 016360265

Dear Mr. Cho:

Enclosed, please find the Fact Sheet for American Chemical Services, Inc. Previously, you should have received copies of the correspondence sent to the Hammond Times and radio station WLTH. The public notice is scheduled to appear on June 29, 1990. The public comment period will end on August 13, 1990.

If you have any questions, please contact Mr. Mitch Mosier, of this office at AC 317/232-3221.

Very truly yours,

Victor P. Windle, Chief  
Plan Review and Permit Section  
Hazardous Waste Management Branch  
Solid and Hazardous Waste Management

MJM/rmw

Enclosures

cc: Ms. Fayola Wright, U.S. EPA, Region V

An Equal Opportunity Employer

RECEIVED  
JUN 29 1990  
OFFICE OF RCRA  
WASTE MANAGEMENT DIVISION  
EPA, REGION V



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

105 South Meridian Street  
P.O. Box 6015  
Indianapolis 46206-6015  
Telephone 317/232-8603

June 29, 1990

Hammond Public Library  
564 State Street  
Hammond, Indiana 46320

Re: Variance Request from Liability Requirements  
American Chemical Services, Inc.  
Griffith, Indiana  
IND 016360265

Dear Sir or Madam:

The Indiana Department of Environmental Management (IDEM) intends to deny a Variance Request from Liability Requirements for American Chemical Services, Inc. In accordance with the public involvement procedures of 329 IAC 3-39-6, a Public Notice will be published in the Hammond Times on June 29, 1990. A public comment period of forty-five (45) days will then commence during which comments on the Variance Request will be accepted by the IDEM.

Please make available for public examination this letter and the enclosed documents for seventy-five (75) days. The following items are enclosed.

- Fact Sheet
- Public Notice

Upon receipt of this letter, please complete the attached verification statement and return it to this office. A self-addressed, stamped envelope is enclosed for your convenience. Please return the above-listed materials to this office after the seventy-five (75) days.

Thank you for assistance. If you have any questions, please contact Mr. Mitch Mosier of this office at AC 317/232-3221.

Very truly yours,

Thomas E. Linson, Chief  
Hazardous Waste Management Branch  
Solid and Hazardous Waste Management

MJM/rmw

Enclosures

cc: Mr. Hak Cho, U.S. EPA Region V  
Ms. Fayola Wright, U.S. EPA, Region V

An Equal Opportunity Employer



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

105 South Meridian Street  
P.O. Box 6015  
Indianapolis 46206-6015  
Telephone 317/232-8603

June 29, 1990

VIA CERTIFIED MAIL - P124-437-357

Mr. John Murphy  
P.O. Box 190  
Griffith, Indiana 46319

Re: Variance Request  
American Chemical Services, Inc.  
Griffith, Indiana  
IND 016360265

Dear Mr. Murphy:

Enclosed please find a copy of the Fact Sheet, and Public Notice for American Chemical Services, Inc. In accordance with 329 IAC 3-39-6, a public notice for the Variance Request has been sent to the Hammond Times and is scheduled to be published June 29, 1990. The public comment period will end August 13, 1990.

If you have any questions, please contact Mr. Mitch Mosier, of this office at AC 317/232-3221.

Very truly yours,

Thomas E. Linson, Chief  
Hazardous Waste Management Branch  
Solid and Hazardous Waste Management

MJM/rmw

Enclosure

cc: Mr. Hak Cho, U.S. EPA, Region V  
Ms. Fayola Wright, U.S. EPA, Region V  
Lake County Health Department (with enclosures)  
Ms. Glynda Oakes

BEFORE THE INDIANA DEPARTMENT  
OF ENVIRONMENTAL MANAGEMENT

AMERICAN CHEMICAL SERVICE, INC.,     )  
  )  
    Petitioner,                         )  
  )  
vs.                                        )  
  )  
KATHY PROSSER, COMMISSIONER,         )  
INDIANA DEPARTMENT OF ENVIRON-       )  
MENTAL MANAGEMENT,                    )  
  )  
    Respondent.                         )

PETITION FOR VARIANCE

American Chemical Service, Inc., by its counsel, Maureen Johns Grimmer, Eichhorn, Eichhorn & Link, files its Petition for Variance pursuant to 329 IAC 3-22-24(c) and (d). In support of its petition American Chemical Service, Inc. (ACS) states as follows:

1. Petitioner, ACS, is a person defined by Section 1004(15) of RCRA, 42 U.S.C. §6903(15) and 329 IAC 3-1-7, who owns and operates a facility at 420 South Colfax Avenue, Griffith, Indiana 46319 that treats and stores hazardous waste. Petitioner is an Indiana corporation whose registered agent is James Tarpo, President, American Chemical Service, Inc., P.O. Box 190, Griffith, Indiana 46319.

2. On August 15, 1980, ACS filed a notification of hazardous waste activity for this facility with U.S. EPA pursuant to Section 3010 of RCRA. On November 18, 1980, American Chemical Service, Inc. filed Part A of the permit application with U.S. EPA pursuant to Section 3005 of RCRA. Amended Part A permit applications were filed with U.S. EPA on February 18, 1982,

August 14, 1985, June 2, 1986, and July 10, 1987. The August 14, 1985, Part A permit application identified the hazardous waste management processes at this facility as storage in tanks and containers, and solvent and fuel recycling. Hazardous wastes processed by ACS are those identified and listed as hazardous waste under Section 3001 of RCRA and Title 329 IAC and specifically include: D001, F001, F002, F003, and F005.

3. Pursuant to the requirements of 329 IAC 3-22-24(a), an owner or operator of a hazardous waste treatment, storage, or disposal facility must demonstrate financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences arising from operations of the facility. The owner or operator of such facility must have and maintain liability coverage for sudden accidental occurrences in the amount of at least one million dollars (\$1,000,000) per occurrence, with an aggregate of at least two million dollars (\$2,000,000), exclusive of legal defense costs unless a variance is obtained.

4. ACS has previously demonstrated proof of adequate insurance for liability coverage for sudden accidental occurrences effective on October 28, 1982, March 12, 1984, and March 12, 1985. In a cancellation notice dated December 13, 1985, IDEM was notified that the coverage which became effective on March 12, 1985, was to be cancelled, effective March 12, 1986.

5. By letter dated August 7, 1987, ACS requested information from IDEM on how to obtain a variance pursuant to

regulation. By letter dated March 13, 1989, this request was renewed.

6. Since the date that the insurance was cancelled ACS has provided a 60 day status letter to the Commissioner of IDEM regarding its attempts to obtain new insurance.

7. On May 25, 1989, ACS received correspondence from Thomas Linson, Chief, Hazardous Waste Management Branch, IDEM indicating that IDEM was unable to process a variance petition filed pursuant to 329 IAC 3-22-24(c) and (d).

8. On August 4, 1989 ACS received a notice of violation from U.S. EPA concerning the financial assurance requirements which indicates that if the requirements are not promptly met ACS must commence closure of its facility.

9. No third party claims have been made against ACS regarding any sudden accidental occurrences at the ACS facility during its 35 years of operation in the hazardous waste business.

10. The size of the facility, its rural setting, its available response equipment, the limited number of waste codes (D001, F001, F002, F003 and F005), the type of waste (none is reactive or radioactive), the fact that all waste is stored at atmospheric conditions and treated at negative to atmospheric pressures as well as the containment and emergency spill response program already in place greatly limit the amount and duration of potential accidental occurrences, which limit is substantially lower than the \$1,000,000/\$2,000,000 requirements set forth in 329 IAC 3-22-24(a).



11. Because the level of financial responsibility required by 329 IAC 3-22-24(a) is not consistent with the degree and duration of risk associated with ACS facility, an adjustment of the level of financial responsibility is appropriate.

12. An outline of the technical and engineering information to be submitted by ACS in support of this petition pursuant to 329 IAC 3-22-24(c) is attached (Attachment I).

WHEREFORE, the petitioner, American Chemical Service, Inc. requests that the Commissioner grant a variance, retroactive to March 12, 1986, to ACS by adjusting the level of financial responsibility required pursuant to 329 IAC 3-22-24(d).

Respectfully submitted,

EICHHORN, EICHHORN & LINK

By: Maureen Johns Grimmer  
Maureen Johns Grimmer

EICHHORN, EICHHORN & LINK  
Attorneys at Law  
200 Russell Street  
P.O. Box 6328  
Hammond, Indiana 46325  
Telephone: 219/931-0560

# ATEC Associates, Inc.



1501 East Main Street  
Griffith, Indiana 46319-0270  
(219) 924-6690, (312) 375-9092  
FAX # (312) 375-8649

October 27, 1989

PN 1093B

Ms. Maureen Johns Grimmer, Esq.  
Eichhorn, Eichhorn and Link  
200 Russell Street  
P.O. Box 6328  
Hammond, IN 46325

## UP-DATED PROPOSAL

Risk Assessment and Remedial Cost Estimate  
RCRA Facilities  
American Chemical Services Plant  
Griffith, Indiana

Dear Ms. Grimmer:

This proposal is in response to our recent meeting regarding American Chemical Services Inc. (ACS) in which we discussed the regulatory agency's interest in addressing the RCRA financial responsibility issues at the ACS facility. We understand that ACS remains unable to obtain insurance to satisfy financial assurance requirements because of their current NPL status. ACS has decided to submit a request for variance for an adjustment to the levels of financial responsibility. By adjusting the levels to be more consistent with the degree and duration of risk associated with the operations at ACS, the financial assurance

## ATTACHMENT I

### DISTRICT OFFICE

22 West Erie Street  
Chicago, Illinois 60610-3811  
(312) 266-1066

A Subsidiary of American Testing and Engineering Corporation  
Offices in Major U.S. Cities/Since 1958

Consulting Geotechnical, Materials and  
Environmental Engineers

requirement can be satisfied by alternative mechanism. To satisfy the variance provisions, ACS should assess potential sources of sudden and accidental releases and of gradual releases of hazardous materials into the environment. The characteristics of such releases are molded to develop remediation scenarios with associated cost estimates. These remediation cost estimates would then be compared to the statutory proscribed amounts in the regulations to see if a variance is warranted.

Since 1986 a considerable amount of on-site work has been conducted or is well underway, including a RCRA Part B permit application and RI/FS studies. These studies are providing valuable information on which to base this proposed risk assessment. This work suggests that there is a continuous confining layer at relatively shallow depth which would limit vertical percolation of contaminants. Further, the existing operations at ACS consist of essentially a large treatment process. Should a spill or gradual release occur, ACS would be able to remediate it on-site with on-going on-site treatment processes, resulting in considerable cost savings over typical sites. These factors combined with secondary containment and other process upgrades reduce the risk and severity of releases, and thus may reduce the financial assurance requirements sufficient to warrant a variance.

#### Proposed Scope Of Work - General

The financial responsibility variance is not a commonly pursued action, and there is not a standard scope of work format available. Because of this, and because of the extensive amount of work already performed and currently being performed on site, we recommend that the risk assessment and remedial cost estimate be pursued in the following phases:

1. Phase I - Compile and summarize the relevant historic site information (partial list attached). Identify data gaps.
2. Phase II - Perform the necessary work to fill data gaps identified in Phase I. Present detailed findings and submit a report to the Indiana Department of Environmental Management for review.
3. Phase III - Provide additional information as may be requested by IDEM to rule on the variance request.

The proposed scope of work for the Phase I study outlined above is discussed in greater detail below. Subsequent work will depend upon the findings of the Phase I work, and therefore, the subsequent phases of work are not detailed in this proposal.

#### Proposed Scope of Work - Phase I

The major tasks to be completed in Phase I are discussed below followed by a schedule estimate. A list of relevant completed studies is attached.

1. Site Hydrogeologic Conditions - Published Regional geologic information, past on-site hydrogeologic and geotechnical exploration, and available RI/FS work will be reviewed. We will develop the hydrogeologic parameters necessary to model the migration of chemical releases and necessary to model remediation scenarios for the surface water, groundwater, and soil migration routes.

2. Audit Plant Operations - Review plant operations as they relate to potential chemical releases. The contingency portion of the Part B permit application, tank certifications, and the SPCC plan are particularly relevant. Potential release points will be identified. The impact of secondary containment and alarm systems will be considered. If any areas that can be impacted are discerned, recommendations for their implementations will be discussed with the management. Process flow diagrams will be prepared, design drawings, and a photographic log will be submitted with the Phase I report.
3. Model Releases - Based upon the data collected in tasks 1 and 2 and upon available climatological data various sudden and gradual release scenarios will be modelled. This modelling would be preliminary in this phase, but would consider air, direct contact, surface water, and groundwater exposure routes. The purposes of this Phase I modeling are to identify data gaps and to develop conceptual remediation strategies.
4. Remedial Strategies - Appropriate remediation technologies would be assessed relevant to the modelled release scenarios. In particular, the ability of the existing on-site facilities to aid in the site remediation will be addressed. The feasibility of various remedial technologies to the site conditions will be addressed. The development of the Phase I conceptual remediation strategies with aid in identifying data gaps and to develop initial remedial cost estimates.

5. Cost Estimates - Initial cost estimates will be developed for the conceptual remediation strategies developed in the Phase I work. These estimates will, of course be approximate and include the following costs: assessment, monitoring, design, construction and long-term care. These initial cost estimates will be compared against the proscribed regulatory standards.

6. Review - A written Phase I report will be prepared and will summarize the work performed, present the findings of each task, identify data gaps, and include more detail recommendations for subsequent work.

**Schedule**

Based upon our current workload, we expect that the Phase I work described above could be completed within 60 days of authorization to proceed.

\* \* \* \* \*

We look forward to working with you on this project.

Very truly yours,

ATEC Associates, Inc.

BY:

*John W. Weaver II*

John W. Weaver II, P.E.

Vice President

Attachment

List of Completed Studies



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

105 South Meridian Street  
P.O. Box 6015  
Indianapolis 46206-6015  
Telephone 317/232-8603

June 29, 1990

Hammond Public Library  
564 State Street  
Hammond, Indiana 46320

Re: Variance Request from Liability Requirements  
American Chemical Services, Inc.  
Griffith, Indiana  
IND 016360265

Dear Sir or Madam:

The Indiana Department of Environmental Management (IDEM) intends to deny a Variance Request from Liability Requirements for American Chemical Services, Inc. In accordance with the public involvement procedures of 329 IAC 3-39-6, a Public Notice will be published in the Hammond Times on June 29, 1990. A public comment period of forty-five (45) days will then commence during which comments on the Variance Request will be accepted by the IDEM.

Please make available for public examination this letter and the enclosed documents for seventy-five (75) days. The following items are enclosed.

- Fact Sheet
- Public Notice

Upon receipt of this letter, please complete the attached verification statement and return it to this office. A self-addressed, stamped envelope is enclosed for your convenience. Please return the above-listed materials to this office after the seventy-five (75) days.

Thank you for assistance. If you have any questions, please contact Mr. Mitch Mosier of this office at AC 317/232-3221.

Very truly yours,

Thomas E. Linson, Chief  
Hazardous Waste Management Branch  
Solid and Hazardous Waste Management

MJM/rmw

Enclosures

cc: Mr. Hak Cho, U.S. EPA Region V

Ms. Fayola Wright, U.S. EPA, Region V

An Equal Opportunity Employer

VERIFICATION OF RECEIPT OF PUBLIC REVIEW MATERIALS

NAME OF HEALTH DEPARTMENT OF LIBRARY CONTACT, HEALTH DEPARTMENT OR LIBRARY,  
AND LOCATION:

Hammond Public Library  
564 State Street  
Hammond, Indiana 46320

FACILITY NAME, LOCATION AND I.D. NO.:

American Chemical Services, Inc.  
Griffith, Indiana 46319  
IND 016360265

MATERIALS RECEIVED: Fact Sheet  
Public Notice

DATE RECEIVED/MADE AVAILABLE TO PUBLIC: June 29, 1990

SIGNATURE OF RECEIVING PARTY: \_\_\_\_\_

PLEASE RETURN (IN SELF-ADDRESSED, POSTAGE AND FEES PAID, ENVELOPE) TO:

Mr. Thomas E. Linson, Chief  
Hazardous Waste Management Branch  
Office of Solid and Hazardous Waste Management  
Indiana Department of Environmental Management  
105 South Meridian Street  
P.O. Box 6015  
Indianapolis, Indiana 46206-6015





FILE

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

105 South Meridian Street  
P.O. Box 6015  
Indianapolis 46206-6015  
Telephone 317/232-8603

June 21, 1990

VIA CERTIFIED MAIL - Overnight Delivery

News Director  
Hammond Times  
417 Fayette Street  
Hammond, Indiana 46320

Re: Public Notice of Intent to  
Deny a Variance Request

IND 0163 602 65

Dear Sir or Madam:

I have enclosed a copy of our Public Notice of Intent to Deny a Variance Request from Liability Requirements for American Chemical Services, Inc., IND 016360265. Please publish this notice, one time only, on June 29, 1990.

Please send me a notarized form and clipping showing the date of publication. Also, send the billing to my attention.

Very truly yours,

Thomas E. Linson, Chief  
Hazardous Waste Management Branch  
Solid and Hazardous Waste Management

MJM/rmw

Enclosure

cc: Ms. Kathy Prosser, Commissioner (with enclosure)  
Mr. Thomas Rarick, Deputy Assistant Commissioner (with enclosure)  
Mr. Hak Cho, U.S. EPA, Region V (with enclosure)  
Ms. Fayola Wright, U.S. EPA, Region V (with enclosure)  
Ms. Clara Farrow  
Ms. Glynda Oakes

## Public Notice

The Indiana Department of Environmental Management (IDEM) is hereby giving notice of their intent to deny a variance request from the Liability Requirements, for American Chemical Services, IND 016360265, located in Griffith, Indiana. This notice is given in accordance with Rule 329 IAC 3-39-6. The IDEM is inviting public comments on the ability of American Chemical Services, Inc. to comply with the applicable hazardous waste management variance standards of 329 IAC 3-22-24(c).

A public hearing on the intent to deny a variance request is scheduled to be held on August 9, 1990, in the Hammond City Council Chambers, Hammond City Hall, 5925 Calumet Ave., Hammond, Indiana. The hearing will start at 7 p.m., and continue until all persons who have registered, have an opportunity to present their comments for the record. Speakers should register by 7:00 p.m. that evening, limit their oral presentations to five (5) minutes, and submit two (2) copies of their oral presentation in written form.

The public comment period may be extended by the IDEM Commissioner, if an extension of time is deemed necessary to facilitate additional public comment.

Written comments on the variance request will be accepted by the IDEM during the public comment period which begins on June 29, 1990, and ends on August 13, 1990. All comments or requests concerning the variance request must be postmarked by August 13, 1990, and should be sent to:

Mr. Thomas E. Linson, Chief  
Hazardous Waste Management Branch  
Office of Solid and Hazardous Waste Management  
Indiana Department of Environmental Management  
105 South Meridian Street  
P.O. Box 6015  
Indianapolis, Indiana 46206-6015

After the close of the public comment period, the IDEM will evaluate all comments received before issuing a final decision. Each person who presented oral testimony at the hearing, submitted written comments, or requested notice of the decision will receive notice of the final decision. The final decision will also include a reference to the procedures for appealing the decision. The State procedures for public comment and hearings are found in Rule 329 IAC 3-39-7.